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CASE 4-30868A/C1

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October 30, 2003

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

Art Unit: 1646

BERNASCONI ET AL.

Examiner: M.T. Brannock

APPLICATION NO: 09/955,381

FILED: SEPTEMBER 18, 2001

FOR: USE OF GABA<sub>B</sub> RECEPTOR LIGANDS FOR THE TREATMENT OF  
NEURODEGENERATIVE DISEASES

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

ELECTION OF SPECIES

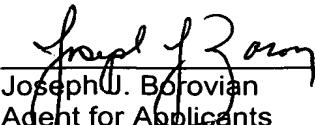
Sir:

This is in response to the Official Action dated October 2, 2003.

The Examiner contends that the four uses as set forth on Page 2 of the Official Action are directed to patentably distinct species. Accordingly, the Examiner has required an election under 35 U.S.C. §121 to one of the four uses. In response thereto, Applicants elect the first use, viz., methods of treating Parkinson's disease. In this connection, Claims 1, 2, 4, 6-10, 12, 14 and 16 read on the "elected" use.

In view of the foregoing, an action on the merits of all claims which read on the "elected" use, viz., Claims 1, 2, 4, 6-10, 12, 14 and 16, is respectfully requested.

Respectfully submitted,

  
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JJB/Id

Encl.: Postcard

Date: October 30, 2003